

# LYNCHBURG CITY COUNCIL

## Agenda Item Summary

MEETING DATE: **April 9, 2002**

AGENDA ITEM NO.: 13

CONSENT:

REGULAR: **X**

CLOSED SESSION:

ACTION: **X**

INFORMATION:

(Confidential)

**ITEM TITLE: Public hearing to authorize the Lynchburg Redevelopment and Housing Authority (LRHA) to pursue acquisition of blighted property at 2107 Bedford Avenue.**

### RECOMMENDATION:

Adopt a Resolution authorizing LRHA to pursue acquisition of blighted property at 2107 Bedford Avenue under Section 36-19.5 of the Code of Virginia.

### SUMMARY:

Please see attached request from LRHA including information regarding notification to the property owners.

### PRIOR ACTION(S):

NA

### FISCAL IMPACT:

NA

### CONTACT(S):

Edward H. McCann 845-9011

### ATTACHMENT(S):

- Resolution
- March 19, 2002, LRHA request

### REVIEWED BY:

## RESOLUTION AUTHORIZING THE ACQUISITION OF REAL PROPERTY

WHEREAS, it appearing to City Council from the evidence presented at the public hearing that the structure located at 2107 Bedford Avenue, parcel 020-15-013 (i) has deteriorated to such an extent as to constitute a serious and growing menace to the public health, safety and welfare; (ii) that such structure is likely to continue to deteriorate unless corrected; (iii) that the continued deterioration of such structure will contribute to the blighting or deterioration of the area immediately surrounding 2107 Bedford Avenue; (iv) that the owner of 2107 Bedford Avenue was given 60 days notice by certified mail of the condition of the structure and has failed to correct the deterioration; and (v) that 2107 Bedford Avenue lies within the Lynchburg Redevelopment and Housing Authority's area of operation;

NOW, THEREFORE BE IT RESOLVED that as provided by Section 36-19.5 of the Code of Virginia the Lynchburg City Council does hereby authorize the Lynchburg Redevelopment and Housing Authority to acquire the property located at 2107 Bedford Avenue by purchase, lease, gift or through the exercise of eminent domain for the purpose of development and redevelopment, including, but not limited to, the renovation, rehabilitation and disposition of the structure at 2107 Bedford Avenue;

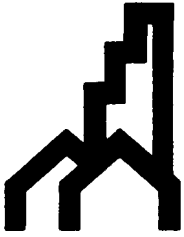
BE IT FURTHER RESOLVED that the Lynchburg Redevelopment and Housing Authority is hereby designated and authorized to act on the City's behalf in the acquisition of the property at 2107 Bedford Avenue.

Adopted:

Certified:

\_\_\_\_\_  
Clerk of Council

067P



## LYNCHBURG REDEVELOPMENT AND HOUSING AUTHORITY

1101 COURT ST. P.O. BOX 1298, LYNCHBURG, VIRGINIA 24505 (434) 845-9011

EDWARD H. McCANN  
**Executive Director**

MAILED  
MAR 27 2002  
COUNCILMANAGER  
OFFICES

March 19, 2002

Mrs. Patricia W. Kost  
Clerk of City Council  
P.O. Box 60  
Lynchburg, Virginia 24505

Re: 2107 Bedford Avenue  
Parcel 020-15-013

Dear Mrs. Kost:

The Authority staff has been working **with** the City's Inspections Division to address a blighted property located at 2107 Bedford Avenue. This property has been vacant for an extended period of time and was condemned October 2001, by the city's inspections department. Our staff has also inspected the property noting code violations and deficiencies resulting in its blighted condition. The owner of the property was notified of the deficiencies under section 36-1 9.5 of the Code of Virginia, but has failed to correct the deterioration of his property.

The above Code section provides that an authority may acquire blighted property after a public hearing and approval of such acquisition by the governing body of the city within which the property is located. This is to request that City Council hold a public hearing to consider the request of the Lynchburg Redevelopment and Housing Authority for authorization to acquire this property pursuant to the above referenced code. Enclosed is a photocopy of the resolution adopted by the Commissioners of the Authority, the notice sent to the owner and a proposed resolution for City Council's consideration.

Please let me know if you need further information.

Very truly yours,

Edward H. McCann

enclosures

**Resolution Authorizing the Executive Director to seek approval of City Council for the acquisition of the property at 2107 Bedford Avenue, Parcel 020-15-013, Lynchburg, Virginia pursuant to Code section 36-19.5**

**WHEREAS**, the Commissioners of the Lynchburg Redevelopment and Housing Authority (the Authority) have undertaken the exercise of additional powers granted to the Authority pursuant to section 36-19.5 of the Code of Virginia, as amended; and

**WHEREAS**, one of the major objectives to be achieved in exercising powers granted to the Authority under Code section 36-19.5 is to prevent single-family or multi-family dwelling units within the Authority's area of operation from contributing to the blighting or deterioration of the area immediately surrounding such dwelling unit as a result of the continued deterioration of such dwelling unit and **further**, to prevent the deterioration of such dwelling unit to such an extent as to constitute a serious and growing menace to the public health, safety and welfare; and

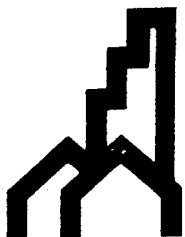
**WHEREAS**, the Commissioners of the Authority have made a finding that the dwelling unit located at 2 107 Bedford Avenue, Lynchburg, Virginia (the property), (i) has deteriorated to such extent as to constitute a serious and growing menace to the public health, safety and welfare; (ii) that the property is likely to continue to deteriorate unless corrected; and (iii) that the continued deterioration of the property may contribute to the blighting or deterioration of the area immediately surrounding the dwelling unit; and

**WHEREAS**, the Commissioners of the Authority have made a further finding that, unless the property is brought into full compliance with the applicable building codes of the City of Lynchburg, Virginia, the acquisition of the property pursuant to Code section 36-19.5 (B) will further the objectives of, and is necessary for, the purposes of the Authority; and

**WHEREAS**, as a prerequisite to the acquisition of the property by the City of Lynchburg, on behalf of the Authority, in accordance with Code section 36-19.5 (B), the required notice has been given to the landowner to correct the deterioration of the dwelling unit; and

**WHEREAS**, the owner has failed to correct the deteriorated condition of the dwelling unit.

**THEREFORE, BE IT RESOLVED**, by the Commissioners of the Authority that the Executive Director of the Authority, in consultation with the Authority's legal counsel, is hereby authorized and directed to request that the City Council of the City of Lynchburg hold a public hearing to consider the Authority's request to acquire the property at 2 107 Bedford Avenue, Lynchburg, Virginia, in accordance with the provisions of Code section 36-19.5, for the purpose of development and redevelopment, including, but not limited to, renovation, rehabilitation and disposition of the property.



**LYNCHBURG REDEVELOPMENT AND HOUSING AUTHORITY**

1101 COURT ST. P.O. BOX 1298, LYNCHBURG, VIRGINIA 24505 (804) 845-9011

EDWARD H. McCANN  
Executive Director

December 20, 2001

Georgia C. & E. T. Blair  
1627 Monsview Place  
Lynchburg, Virginia 24503

Re: Parcel 020-15-013  
2 107 Bedford Avenue

Dear Sir or Madam:

Attached is a copy of the letter dated October 12, 2001, sent to you by the Authority regarding the above referenced property. Although staff recently observed that the property has been painted, we are requesting that the remaining deficiencies outlined in the October 12<sup>th</sup> letter as well as any other non-compliance with the building code be corrected within sixty (60) days of receipt of this notice.

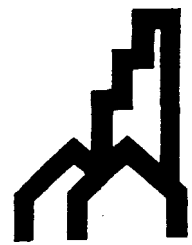
Please contact Connie Snively of our staff at 845-9011 to discuss this.

Very truly yours,

cc: Bob Drane, City of Lynchburg Building Inspections Department

attachment

certified mail – return receipt



# **LYNCHBURG REDEVELOPMENT AND HOUSING AUTHORITY**

1101 COURT ST. P.O. BOX 1298, LYNCHBURG, VIRGINIA 24505 (804) 845-9011

EDWARD H. McCANN  
Executive Director

October 12, 2001

Georgia C. & E. T. Blair  
c/o Wendell O. Blair  
2107 Bedford Avenue  
Lynchburg, Virginia 24503

Re: Parcel 020-I S-O 13  
2107 Bedford Avenue

Sir or Madame:

In a cooperative effort with the City of Lynchburg, the Board of Commissioners of the Lynchburg Redevelopment and Housing Authority has directed our staff to identify residential properties that are deteriorate&, that are likely to continue to deteriorate unless corrected, and that may contribute to the blighting or deterioration of the surrounding area- We have been made aware of the above property which city records show to be owned by you. We observed the dwelling on September 13 and on September 19, 2001, and found the following conditions:

1. Boarded windows
2. Deteriorated roof
3. Mortar missing from front porch foundation
4. Peeling paint
5. No railing on back steps
6. Steps from sidewalk deteriorated and unsafe.

We are requesting that these deficiencies and any other non-compliance with the local and state building codes be corrected within sixty (60) days of receipt of this notice, pursuant to Section 36-19.5 of the Code of Virginia. If these corrections are not completed within that time, the Authority Commissioners may request Lynchburg City Council to conduct a public hearing to determine the appropriateness of authorizing the Authority to acquire the property for the purpose of development and redevelopment, including but not limited to, renovation, rehabilitation, and disposition of the property.

Georgia C. & E. T. Blair  
October 12, 2001  
page 2

Please contact Connie Snively of our staff at (434) 8459011 if you wish to discuss this.

Very truly yours,

A handwritten signature in black ink, appearing to read "Edward H. McCa", with a long horizontal flourish extending to the right.

certified mail - return receipt

cc: Hem-y Yankowski